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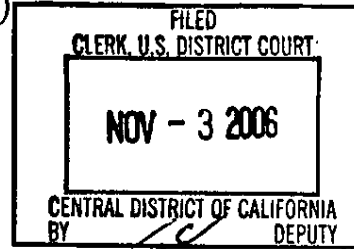
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20 Attorneys for Defendant

21 GMRI, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

22 FLORESA SULLIVAN and
23 MICHAEL PORTER, on behalf of
24 themselves and others similarly
25 situated,

26 Plaintiffs,

27 vs.

28 GMRI, INC.; and DOES 1 to 50,
inclusive,

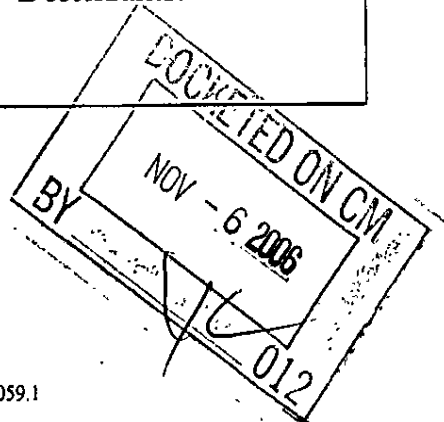
Defendants.

CASE NO. CV-06-3222 SVW (MANx)

Hon. Stephen V. Wilson
Ctm: 6

**STIPULATION FOR VOLUNTARY
DISMISSAL OF PLAINTIFF
MICHAEL PORTER; [PROPOSED]
ORDER THEREON**

29



FILED

2006 NOV 15 PM 4:15

U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
LOS ANGELES

1 Pursuant to Rule 41(a)(1), the parties, through their respective counsel,
2 hereby stipulate that the claims of plaintiff Michael Porter ("Porter") shall be
3 dismissed without prejudice, on the following conditions:

- 4
- 5 1. In the event there is any class recovery in this action, Defendant
6 shall be entitled to a credit in the amount of \$1,360 against any
7 portion of the recovery that is allocated to any claim of Porter;
8
- 9 2. In the event there is any class recovery, Porter shall be ineligible
10 for any enhancement, including for any period he served as a
11 representative of any putative class; and
12
- 13 3. Each side shall bear its own costs and attorneys' fees incurred in
14 connection with the claims of Porter incurred as of the date of
15 this Stipulation.
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23 ///

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25 ///

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27 ///

28

1 Nothing in this Stipulation shall affect the claims of plaintiff Floresa
2 Sullivan, who will continue as a named plaintiff.

3 Dated: October 10, 2006 KINGSLEY & KINGSLEY, APC

4
5 By: 
6 ERIC B. KINGSLEY

7 Attorneys for Plaintiff
8 FLORESA SULLIVAN

9 Dated: October 14, 2006 PAUL, HASTINGS, JANOFSKY & WALKER LLP

10
11 By: 
12 STEPHEN L. BERRY

13 Attorneys for Defendant
14 GMRI, INC.

15 **ORDER**

16 IT IS SO ORDERED.

17
18 DATED: Nov 2, 2006

19 
20 Hon. Stephen V. Wilson
21 United States District Judge

(PROOF OF SERVICE BY MAIL - 1013a, 2015.5 C.C.P.)

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county aforesaid, State of California. I am over the age of eighteen years and not a party to the within entitled action; my business address is 16133 Ventura Boulevard, Suite 1200, Encino, California 91436.

On October 20, 2006, I served the foregoing document described as STIPULATION FOR VOLUNTARY DISMISSAL OF PLAINTIFF MICHAEL PORTER; [PROPOSED] ORDER THEREON on the interested parties in this action

X by placing the original X a true copy thereof enclosed in sealed envelopes addressed as follows:

Keith A. Warren
Helene J. Wasserman
Ford & Harrison LLP
350 South Grand Avenue, Suite 2300
Los Angeles, CA 90071

Stephen L. Berry
Michael Haskell
PAUL, HASTINGS, JANOFSKY & WALKER
695 Town Center Dr., 17th Floor
Costa Mesa, CA 92626

X BY MAIL

X I deposited such envelope in the mail at Encino, California. The envelope was mailed with postage thereon fully prepaid.

X As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Encino, California, in the ordinary court of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

(State) I declare under penalty of perjury, under the laws of the State of California that the above is true and correct.

X (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.


J. HALL